

By Senator Diaz de la Portilla

36-1406A-05

1 A bill to be entitled

2 An act relating to domestic security; amending

3 s. 943.0311, F.S.; providing requirements for

4 security assessments of buildings, facilities,

5 or structures owned or leased by state

6 agencies, state universities, and community

7 colleges; requiring that security needs be

8 prioritized; requiring that assessments be

9 completed before construction, occupancy, or

10 modification of a building, facility, or

11 structure; requiring that the Chief of Domestic

12 Security Initiatives work in conjunction with

13 the State Fire Marshal and other entities to

14 develop and implement best practices; providing

15 an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 943.0311, Florida Statutes, is
20 amended to read:

21 943.0311 Chief of Domestic Security Initiatives;
22 duties of the department with respect to domestic security.--

23 (1) The executive director of the department, or a
24 member of the department designated by the executive director,
25 shall serve as the Chief of Domestic Security Initiatives. The
26 Chief of Domestic Security Initiatives shall:

27 (a) Coordinate the efforts of the department in the
28 ongoing assessment of this state's vulnerability to, and
29 ability to detect and respond to, acts of terrorism within or
30 affecting this state.

1 (b) Prepare recommendations for the Governor, the
2 President of the Senate, and the Speaker of the House of
3 Representatives, which are based upon ongoing assessments to
4 limit the vulnerability of the state to terrorism.

5 (c) Coordinate the collection of proposals to limit
6 the vulnerability of the state to terrorism.

7 (d) Use regional task forces to support the duties of
8 the department set forth in this section.

9 (e) Use public or private resources to perform the
10 duties assigned to the department under this section.

11 (2) The chief shall conduct or cause to be conducted
12 by the personnel and with the resources of the state agency,
13 state university, or community college that owns or leases a
14 building, facility, or structure, security assessments of
15 buildings, facilities, and structures owned or leased by state
16 agencies, state universities, and community colleges using
17 methods and instruments made available by the department. Each
18 entity making such an assessment shall prioritize its security
19 needs based on the findings of its assessment. Each state
20 agency, state university, and community college shall
21 cooperate with the department and provide the assistance of
22 employees within existing resources to provide to the chief
23 information in the format requested by the chief. The chief
24 must report to the Governor, the President of the Senate, and
25 the Speaker of the House of Representatives if any state
26 agency, state university, or community college substantially
27 fails to cooperate with the chief in making a security
28 assessment of the buildings, facilities, and structures of the
29 state agency, state university, or community college.

30 (a) The initial assessment of each building, facility,
31 or structure owned or leased by a state agency, state

1 university, or community college shall be completed by the
2 state agency, state university, or community college and shall
3 be provided to the chief no later than November 1, 2004.

4 (b) If the assessment of a building, facility, or
5 structure owned or leased by a state agency, state university,
6 or community college is not provided to the chief under
7 paragraph (a), the assessment must be completed by the agency,
8 university, or community college and provided to the chief
9 before construction, occupancy, or any substantial
10 modification of the building, facility, or structure. The
11 chief may request additional ~~followup~~ assessments to ensure
12 that the security assessments of buildings, facilities, and
13 structures, owned or leased by state agencies, state
14 universities, and community colleges, remain reasonably
15 current and valid.

16 (3) The chief shall report to the Governor, the
17 President of the Senate, and the Speaker of the House of
18 Representatives by November 1 of each year prioritized
19 suggestions for specific and significant security enhancement
20 of any building, facility, or structure owned or leased by a
21 state agency, state university, or community college or any
22 entity which is deemed to be a critical structure by the
23 respective regional domestic security task force ~~that has~~
24 ~~conducted an assessment under subsection (5).~~ The chief may
25 use the assessments provided under subsection (5) in making
26 those suggestions. The report must identify and prioritize the
27 recommended security enhancements and suggest strategies
28 ~~provide recommendations~~ to maximize any available federal
29 funds funding in support of building or ~~and~~ facility security.

30 (4) ~~The chief shall report to the Governor, the~~
31 ~~President of the Senate, and the Speaker of the House of~~

1 ~~Representatives recommended best practices for safety and~~
2 ~~security of buildings, facilities, and structures owned or~~
3 ~~leased by state agencies, state universities, community~~
4 ~~colleges, and local governments.~~ To promote the continued
5 safety and security of government buildings, facilities, and
6 structures within the state, the chief shall work in
7 conjunction with the State Fire Marshal, other entities having
8 responsibility for domestic security, state agencies, state
9 universities, community colleges, and local governments to
10 develop and implement best practices. The best practices may
11 be revised or enhanced by the chief as necessary. The
12 recommended best practices are not a rule as defined in
13 chapter 120.

14 (5) The chief shall communicate to local governments
15 and water management districts the importance of conducting
16 security assessments of buildings, facilities, and structures
17 owned or leased by such local governments or water management
18 districts, and the options local governments and water
19 management districts should consider in obtaining security
20 assessments. The cost of any security assessment of a
21 building, facility, or structure owned or leased by a local
22 government or water management district shall be borne by the
23 local government or water management district, as applicable.

24 (6) The chief may communicate to private entities the
25 options private entities should consider in obtaining security
26 assessments and may solicit private entities for the purpose
27 of communicating such options. The cost of any security
28 assessment of a private entity shall be borne by the private
29 entity. Private entities are urged to cooperate with and
30 assist the department in meeting its responsibilities for
31 domestic security.

1 (7) As used in this section, the term "state agency"
2 includes the Agency for Health Care Administration, the Agency
3 for Workforce Innovation, the Department of Agriculture and
4 Consumer Services, the Department of Business and Professional
5 Regulation, the Department of Children and Family Services,
6 the Department of Citrus, the Department of Community Affairs,
7 the Department of Corrections, the Department of Education,
8 the Department of Elderly Affairs, the Department of
9 Environmental Protection, the Department of Financial
10 Services, the Department of Health, the Department of Highway
11 Safety and Motor Vehicles, the Department of Juvenile Justice,
12 the Department of Law Enforcement, the Department of Legal
13 Affairs, the Department of Management Services, the Department
14 of Military Affairs, the Department of Revenue, the Department
15 of State, the Department of the Lottery, the Department of
16 Transportation, the Department of Veterans' Affairs, the Fish
17 and Wildlife Conservation Commission, the Parole Commission,
18 the State Board of Administration, and the Executive Office of
19 the Governor.

20 Section 2. This act shall take effect upon becoming a
21 law.

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24 SENATE SUMMARY

25 Revises various requirements governing security
26 assessments of buildings, facilities, or structures owned
27 or leased by state agencies, state universities, and
28 community colleges. Requires that a security assessment
29 be completed before a building, facility, or structure is
30 built, occupied, or substantially modified. Requires that
31 the Chief of Domestic Security Initiatives work in
conjunction with the State Fire Marshal and other
entities to develop and implement best practices.